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S1777

90TH CONGRESS
2D SESSION

H. R. 17363

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1968

Mr. PODELL introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To establish an international health, education, and labor program to provide open support for private, nongovernmental activities in the fields of health, education, and labor, and other welfare fields.

1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

3 ESTABLISHMENT OF FOUNDATION

4 SECTION 1. (a) There is hereby established as an independent agency of the Government an International Health, Education, and Labor Foundation (hereinafter referred to as the "Foundation").

8 (b) The Foundation shall be composed of a Director

1 and an International Health, Education, and Labor Council
2 (hereinafter referred to as the "Council").

3 (c) The purposes of the Foundation shall be to establish
4 and conduct an international health, education, and labor
5 program under which the Foundation shall provide open
6 support for private, nongovernmental activities in the fields
7 of health, education, and labor, and other welfare fields,
8 designed—

9 (1) to promote a better knowledge of the United
10 States among the people of the world;

11 (2) to increase friendship and understanding
12 among the peoples of the world; and

13 (3) to strengthen the capacity of the other peoples
14 of the world to develop and maintain free, independent
15 societies in their own nations.

16 DIRECTOR OF FOUNDATION

17 SEC. 2. (a) The Foundation shall be headed by a Di-
18 rector, who shall be appointed by the President, by and with
19 the advice and consent of the Senate. The person nominated
20 for appointment as the Director shall be a distinguished
21 citizen who has demonstrated exceptional qualities and abil-
22 ities necessary to enable him to successfully perform the
23 functions of the office of the Director.

24 (b) The Director shall receive compensation at the rate
25 prescribed for level II of the Executive Schedule under sec-

1 tion 5311 of title 5, United States Code, and shall serve for a
2 term of five years.

3 (c) The Director, with the advice of the Council, shall
4 exercise all of the authority granted to the Foundation by
5 this Act and shall serve as chief executive officer of the
6 Foundation.

7 COUNCIL

8 SEC. 3. (a) The Council shall consist of eleven mem-
9 bers to be appointed by the President, by and with the advice
10 and consent of the Senate. The persons nominated for ap-
11 pointment as members of the Council (1) shall be eminent
12 in the fields of education, student activities, youth activities,
13 labor, health, scientific research, or other fields pertinent to
14 the functions of the Foundation; (2) shall be selected solely
15 on the basis of established records of distinguished service;
16 and (3) shall not be officers or employees of the Govern-
17 ment of the United States. The President is requested, in the
18 making of nominations of persons for appointment as mem-
19 bers, to give due consideration to any recommendations for
20 nomination which may be submitted to him by leading private
21 associations, institutions, and organizations concerned with
22 private activities in the fields of health, education, and labor,
23 and other welfare fields related to the purposes set forth in
24 the first section of this Act.
25 (b) The term of office of each member of the Council

1 shall be six years, except that (1) the terms of the mem-
2 bers first appointed shall expire, as designated by the Presi-
3 dent, three at the end of two years, four at the end of four
4 years, and four at the end of six years after the date of
5 enactment of this Act; and (2) any member appointed to
6 fill a vacancy shall serve for the remainder of the term for
7 which his predecessor was appointed. No member shall be
8 eligible for reappointment during the two-year period follow-
9 ing the expiration of his term.

10 (c) The members of the Council shall receive compen-
11 sation at the rate of \$100 for each day engaged in the
12 business of the Foundation and shall be allowed travel ex-
13 penses as authorized by section 5703 of title 5, United
14 States Code.

15 (d) The President shall call the first meeting of the
16 Council and designate an Acting Chairman. The Board shall,
17 from time to time thereafter, select one of its members to
18 serve as Chairman of the Council.

19 (e) The Council shall meet at the call of the Chairman,
20 but not less than once every six months. Six members of
21 the Council shall constitute a quorum.

22 (f) The Council (1) shall advise the Director with
23 respect to policies, programs, and procedures for carrying out
24 his functions, and (2) shall review applications for financial
25 support submitted pursuant to section 4 and make recom-

1 mendations thereon to the Director. The Director shall not
2 approve or disapprove any such application until he has
3 received the recommendation of the Council thereon, unless
4 the Council fails to make a recommendation on such applica-
5 tion within a reasonable time.

6 (g) The Council shall, on or before the 31st day of
7 January of each year, submit an annual report to the Presi-
8 dent and the Congress summarizing the activities of the
9 Council during the preceding calendar year and making such
10 recommendations as it may deem appropriate. The contents
11 of each report so submitted shall promptly be made available
12 to the public.

13 GRANTS IN SUPPORT OF PRIVATE ACTIVITIES

14 SEC. 4. (a) To effectuate the purposes of this Act, the
15 Director is authorized, subject to section 3 (f), to make grants
16 to private, nonprofit agencies, associations, and organizations
17 organized in the United States, to public or private nonprofit
18 educational institutions located in the United States, and to
19 individuals or groups of individuals who are citizens of the
20 United States not employed by the Government of the United
21 States, a State or political subdivision of a State, or the Dis-
22 trict of Columbia, for the purpose of enabling them to assist,
23 provide, or participate in international activities, conferences,
24 meetings, and seminars in the fields of health, education, and

1 labor, and other welfare fields related to the purposes set
2 forth in the first section of this Act. No portion of any funds
3 granted under this section shall be paid by the Director, or
4 by any recipient of a grant under this section, to support any
5 intelligence-gathering activity on behalf of the United States
6 or to support any activity carried on by any officer or em-
7 ployee of the United States.

8 (b) Each grant shall be made by the Director under
9 this section only upon application therefor in such form and
10 containing such information as may be required by the Direc-
11 tor and only on condition that the recipient of such grant will
12 conduct openly all activities supported by such grant and
13 make such reports as the Director may require solely to
14 determine that the funds so granted are applied to the pur-
15 pose for which application is made.

16 (c) The Director shall develop procedures and rules
17 with respect to the approval or disapproval of applications
18 for grants under this section which will provide, insofar as
19 practicable, an equitable distribution of grants among the
20 various applicants for such grants and types of activities to
21 be supported by such grants, but which will assure that
22 grants will be made to those qualified recipients most capable
23 of achieving a successful or significant contribution favorably
24 related to the purposes set forth in the first section of this
25 Act. In making grants under this section, the Director shall

1 not impose any requirements therefor or conditions thereon
2 which impair the freedom of thought and expression of any
3 recipients or other beneficiaries of such grants.

4 (d) The Director may (1) pay grants in such install-
5 ments as he may deem appropriate and (2) provide for such
6 adjustment of payments under this section as may be neces-
7 sary, including, where appropriate, total withholding of
8 payments.

9 **PUBLIC REPORTS BY DIRECTOR**

10 SEC. 5. The Director shall, on or before the 31st day of
11 January of each year, submit an annual report to the Presi-
12 dent and the Congress setting forth a summary of his ac-
13 tivities under this Act during the preceding calendar year.
14 Such report shall include a list of the grants made by the
15 Director during the preceding calendar year; a statement
16 of the use to which each recipient applied any grant received
17 during the preceding calendar year; and any recommenda-
18 tions which the Director may deem appropriate. The con-
19 tents of each report so submitted shall promptly be made
20 available to the public.

21 **GENERAL AUTHORITY**

22 SEC. 6. The Director shall have the authority, within
23 the limits of funds available under section 9, to—
24 (1) prescribe such rules and regulations as he deems

1 necessary governing the manner of the operations of
2 the Foundation, and its organization and personnel;

3 (2) appoint and fix the compensation of such per-
4 sonnel as may be necessary to enable the Foundation to
5 carry out its functions under this Act, without regard to
6 the provisions of title 5, United States Code, governing
7 appointments in the competitive service and the provi-
8 sions of chapter 51 and subchapter III of chapter 53 of
9 such title relating to classification and General Schedule
10 pay rates, except that the salary of any person so em-
11 ployed shall not exceed the maximum salary established
12 by the General Schedule under section 5332 of title 5,
13 United States Code;

14 (3) obtain the services of experts and consultants
15 from private life, as may be required by the Director or
16 the Council, in accordance with the provisions of section
17 3109 of title 5, United States Code;

18 (4) accept and utilize on behalf of the Foundation
19 the services of voluntary and uncompensated personnel
20 from private life and reimburse them for travel expenses,
21 including per diem, as authorized by section 5703 of
22 title 5, United States Code;

23 (5) receive money and other property donated,
24 bequeathed, or devised, by private, nongovernmental
25 sources, without condition or restriction other than that

1 it be used for any of the purposes of the Foundation;
2 and to use, sell, or otherwise dispose of such property in
3 carrying out the purposes of this Act; and
4 (6) make other expenditures necessary to carry
5 into effect the purposes of this Act.

6 PROHIBITION AGAINST REQUIRING INTELLIGENCE

7 GATHERING

8 SEC. 7. No department, agency, officer, or employee of
9 the United States shall request or require any recipient or
10 any other beneficiary of any grant made under this Act to
11 obtain, furnish, or report, or cause to be obtained, furnished,
12 or reported, any information relating, directly or indirectly,
13 to any activity supported by such grant, except as is (1)
14 provided by section 4(b) of this Act, or (2) authorized
15 under law in the case of any information directly relating to
16 the violation of any criminal law of the United States by
17 such recipient or beneficiary.

18 INDEPENDENCE FROM EXECUTIVE CONTROL

19 SEC. 8. (a) Determinations made by the Director and
20 the Council in the discharge of their functions under this Act
21 shall not be subject to review or control by the President or
22 by any other department, agency, officer, or employee of
23 the Government.

24 (b) The provisions of subchapter II of chapter 5 of
25 title 5, United States Code (relating to administrative pro-

1 cedure), and of chapter 7 of such title (relating to judicial
2 review), shall not apply with respect to the exercise by
3 the Director or the Council of their functions under this Act.

4 APPROPRIATIONS

5 SEC. 9. There are hereby authorized to be appropriated
6 to the Foundation such sums as may be necessary to carry
7 out the purposes of this Act, except that the aggregate of
8 such sums appropriated prior to June 30, 1972, shall not
9 exceed \$100,000,000. Sums appropriated under this section
10 shall remain available until expended.

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